Document 12-9

Case 1:07-cv-08816-WHP

Filed 09/02/2008

Page 1 of 56

Date of Visit: 10/24/03 NAME: Mager, John	David S. Bell, M.D. 77 South Main Street
Med. Allergies: Codeine Lodine	Lyndonville, NY 14098 716-765-2060
Mcds: See Synpton Rating Form	PMH: CAD/HTNCOPD/CVA/DMEpilepsy/RA/ Osteoarth/lis/None Other:
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HPI:	
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Respiratory-CoughtProductionWineezing/SOB Skin-Rastivulcer	
CVS-Chest Pain/Edema/Palpations SRF Mitsculoskeletal-Myolgias/Attrahyias/	SH: Alcohol Abuse/Tobacco Abuse/Substance Atkise/None
GI-Autominal Pain/Nausea/Vorniting/ Psychiatric-Anaiety/Depression/Suicidal Nextion	Other:
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11-12-03 pts wphoned in , pt in severe pain , trying to work , co celebrar, requesting ory contin for orient time frame s. pt may be	only minimal relief & viscodin 7:5/500 TID+ expworting, for DrBell advised pt would probably

Date of Visit: 4-1-03 N	ME: Magee, John	•	David S. Bell, M.D.
Agc:	0 /		77 South Main Street
Med. Allergies:			Lyndonville, NY 14098
		~	716-765-2060
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GI-Abdominal Pain/Nausea/Vorniting/ Diarrhea/Constipation	Psychialtric_Analety/Depression/Suicidal Ideation		Other:
Other:	Homicidal Idealion		
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CVS-	Normat		
Lung/Chest-	Normal	Td:	UTU/Noncurrent/N/A
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RETURN Discussion Held (Time)			
			
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Patient: John McGee

Date: 8-11-03

John McGee presented for follow up visit on 08/11/03. I had talked with his psychotherapist, Dr. Carolyn Serami, and also talked with his primary care physician, Dr. Kates. Dr. Serami feels that he needs increased pain medication because his pain is clearly out of control. Discussion with Dr. Kates reveals that he feels that this is entirely a psychosomatic problem and that he should not have any pain medication because he needs to confront his problems. Since the last visit he has had a slight increase in activity with the intravenous fluids but certainly not to the degree that is making his life comfortable. He continues to have severe pain, eight and nine on the muscle and joint pain schedules. He is currently not taking any narcotic medication as that was not seeming to help. He is taking Ritalin 20 mg in an attempt to improve his overall activity. This, so far, has not been helpful.

Discussion was held today about his depression. He has contracted with his therapist not to commit suicide although he is still extremely depressed. He sees a coming crisis in his requirement to go back to work in a few week's time. Physical examination was not done on this visit.

Impression:

- 1. Severe chronic fatigue syndrome.
- 2. Orthostatic intolerance.
- 3. Idiopathic hypovolemia.

Treatment:

Discussion was held about pain management and we decided to add clonazepam in order to try to initiate sleep with greater ease and also as a peripheral adjunct for pain management. He will take 0.5 mg h.s. I will see him again in two week's time. We will continue the intravenous saline at the present time without changes.

David S. Bell, M.D.

DSB:ds

David S. Bell, M.D. 77 South Main Street Lyndonville, New York 14098 Telephone: (585) 765-2060

Patient: John McGee

Date: 08/11/03

Detailed discussion was held with John today concerning his intravenous fluids, which really does appear to have improved his activity slightly, and his return to work. He is quite focused on the need to return to work and seems to be perceiving that he will be able to be successful at work if he can put mind over matter. While I have not discouraged his return to work, I cautioned him concerning this as I would be concerned should he meet with failure on this. Nonetheless, he will return to work in the near future and try to restrict his activities for everything else. I plan to see him again in two to three weeks.

David S. Bell, M.D.

DSB:ds Dictated, not read.

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Date of Visit: 8/11/03 NA	ME: Mage, John	David S. Be	
Med. Allergies: Codern	0'	77 South Mai Lyndonville	NY 14098
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	Neuro-Alcred level of Consciousness/Selzure/ Dizziness/LOC/Focal Weakitess		,
Respiratory~CoughtProductionWheezingrSOB	Skin-tast/Ulcer		
CVS-Chest Pain/Edema/Palpations	Musculoskeletal-Myalgias/Artivalgias/	SH: Alcohol Abuse/Tobacco Abuse/S	Substance Alwae/None
GI-Abdominal Pain/Nausea/Vorniting/	Neck Pain/Back Pain Psychiatric-Andety/Depression/Suicidal Ideation	Other:	
Diannea/Constipation Other;	Homicidal Ideation		
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PE:		WI: 249/14/65HT:	D .
General	Normal	1	R:20
Head-	Normal	T: 97.0 P:84 B	P: 120/12
Eyes/Ears-	Normal	FH: CADACODDIUMNITHICVANORE	
Nose/Throat-	Normal	Other:	
Neck-	Normal		
CVS-	Normal		
Lùng/Chest-	Normal	Td:	UTD/Noncurrent/N/A
Abdominal/Rectal-	Normal	LMP:	Postmenopausati N/A
Extremities-	Normal	LAB/ XRAY / EKG	
Neuro-	Normal	4-2	
Skin-	Normal		
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RETURN
Discussion Held (Time)

David S. Bell, M.D. 77 South Main Street Lyndonville, New York 14098 Telephone: (585) 765-2060

Patient: John MaGee

Date: 07/07/03

John was seen following his intravenous saline infusion and orthostatic testing. The orthostatic testing was clearly abnormal with a drop in blood pressure down to 78/64 immediately upon standing. This represents the diagnosis of systolic orthostatic hypotension, as well as orthostatic narrowing of the pulse pressure. He had a steady rise of his pulse up to 104 which does not quite meet the criteria for postural orthostatic tachycardia, however, these abnormalities are consistent with his idiopathic hypovolemia.

Detailed discussion was held today about his echocardiogram which showed borderline left ventricular hypertrophy. Because of his low circulating blood volume I do not feel that the saline would represent a risk to him and it may be that the increased work load of his heart would be reduced with improving his circulating blood volume. Discussion was held about the risks of infection and the unknown risks as this is a treatment that has not yet received thorough testing. Informed consent was signed and it was decided that we would begin one month of normal saline, one liter intravenously on a daily basis and then reassess. He was given my home phone number and was told to call if he has any concerns or symptoms that are different from the usual. He is going to be seeing his psychiatrist this evening and, in my personal feeling, I feel that he is fully able to make informed consent on these matters, and while he has had significant depression based upon his not being able to continue with work, I do not feel that he is depressed to the degree that would interfere with his being able to make an adequate judgement in this matter. They will call me with any questions and recheck in two weeks time otherwise.

David S. Bell, M.D.

DSB:ds

8/8/03 Verbel permission given by pt. For DSB to speak with Carolyn Cerame - psychotheraport 160

Date of Visit: 7/7/23 NAME: Mage,	David S. Bell, M.D.
Ago: 43 Med. Allergies: Codreine, Iodine	Lyndonville, NY 14098
Meds see symptom Rating form	716-765-2060 PMH: CADHTNCOPDICVAIDMEDIEPSYRAY
	Osteoarthritis/None Other:
CC: CF5 no hypovolina	
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Respiratory-CoughtProductionWheezing/SOB Skin-tast/utilizer	
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CVS—Chest Pain/Ederna/Palpations Musculoskeletal- Mysiquasi/vit Neck Pain/B	
GI-Abdominal PainNausearVorniting* Diarmea/Constipation Psychiatric-Andety/Depression Homicidal Ideation	
Other:	
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PE:	WT: 246 165 HT: R: 25
PE: General	WT: 246 165 HT: R: 20
PE: General- Head-	Normal T: 94. P: 84 BP: 120/72
PE: General Head- Eyes/Ears-	Normal T: 96. P: 84 BP: 120/72 Normal FH: CADICOPUDMITTRICVANCIRE
PE: General Head- Eyes/Ears- Nose/Throat-	Normal T: 94. P: 84 BP: 120/72
PE: General Head- Eyes/Ears- Nose/Throat- Neck-	Normal T: 96. P: 84 BP: 120/72 Normal FH: CADICOPUDMITTRICVANCIRE
PE: General Head- Eyes/Ears- Nose/Throat- Neck- CVS-	Normal T: 96. P: 84 BP: 120/72
PE: General Head- Eyes/Ears- Nose/Throat- Neck- CVS- Lung/Chest-	Normal T: 96. P: 84 BP: 120/72
PE: General Head- Eyes/Ears- Nose/Throat- Neck- CVS- Lung/Chest- Abdominal/Rectal-	Normal Normal T: QL P: 84 BP: 120172 Normal Normal Normal Normal Normal Td: UTD/Norcorrenun/A Normal LMP: Postriciopausal/ N/A
PE: General- Head- Eyes/Ears- Nose/Throat- Neck- CVS- Lung/Chest- Abdominal/Rectal- Extremities-	Normal Normal T: QL. P: 84 BP: 120172 Normal Normal Normal Normal Normal Normal Normal LMP: Postrnenoparsal/ NA Normal LAB/ XRAY / EKG
PE: General Head- Eyes/Ears- Nose/Throat- Neck- CVS- Lung/Chest- Abdominal/Rectal-	Normal Normal T: QL P: 84 BP: 120172 Normal Normal Normal Normal Normal Td: UTD/Norcorrenun/A Normal LMP: Postriciopausal/ N/A

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Filed 09/02/2008 Page 10 of 56

Case 1:07-cv-08816-WHP

David S. Bell, M.D. 77 South Main Street Lyndonville, New York 14098

Telephone: (585) 765-2060

June 23, 2003

Dr. Melanie Kates 800 Ayrault Road, Suite 230 Fairport, New York 14450

Dear Dr. Kates:

This is just a letter to keep you up to date on the recent visits with John McGee. As you know, his chronic fatigue has become clearly worsened and he has had a worsening of depression, resulting in brief hospitalization recently. I think that it is most likely that the worsening of his activity restriction and the pain related to the chronic fatigue is one of the things that is clearly worsening his depression although, as you know, this has been a nation-wide debate over the past several years. He has not had any response to the medications that we have been attempting to reduce his pain and, specifically, he has not responded to Neurontin, bupropion, tricyclics, specifically nortriptyline. He takes the narcotic Percocet 5/325 roughly three days a week and is reluctant to take more because it may worsen his depression and because of the concern of addiction. He has an appointment at pain modification clinic for the near future.

Mr. McGee had a circulating blood volume test done by the chromium-51 method in October of 2000. That test showed a striking degree of idiopathic hypovolemia with a red blood cell mass of 15.3 mL/Kg and a decreased plasma volume leading to a total blood volume of 38.2 mL/Kg, which is roughly 54 percent of normal. The mechanism whereby this occurs in patients with chronic fatigue syndrome has never been elucidated. There are current studies underway in Miami trying to look at some of this mechanism. He has been diagnosed as having orthostatic hypotension in the past by a rheumatologist. He will have that test repeated in this office next week. It is our thought at the present time that we might treat him with volume expansion, specifically 1 liter of normal saline on a daily basis for one month's time. In some patients with this degree of hypovolemia along with orthostatic intolerance and severe pain and other symptoms suggestive of chronic fatigue syndrome, that this treatment has had a symptomatic benefit. We have scheduled a cardiac echo in preparation for this and he will have orthostatic testing done next week.

Dr. Kates June 23, 2003 Page 2

Please do not hesitate to give me a call if you have questions concerning Mr. McGee. I feel that he has clearly been worsening over the past several years and he has arrived at the point where he is disabled and unable to go to work. It is my hope that with this treatment he will have an improvement of his symptoms to the degree that he will be able to resume full-time work, which is extremely important for him.

Very truly yours,

David S. Bell, M.D.

DSB:ds Dictated, not read.

Discussion Held (Time)

Case 1:07-cv-08816-WHP	Filed 09/02/2008 Page 14 of 56
	Committee that Addy
Date of Visit: 5/22/03 NAME: MAGEE, JOHN	David S. Bell, M.D 77 South Main Street
Age:	77 South Main Street Lyndonville, NY 14098
Mcd. Allergies:	716-765-2060
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ROS: @ Old chart reviewed, 1J ROS unobtainable.	Other:
Constitutional—FerenChiteAffeatness GU-Dysuria/Frequency/Urgency	
HEENT—Visual Changes/EsracherSore Throat Net/10-Altered level of Consciousness/Seizure/	
Dizziness/LOC/Focal Weaturess Respiratory—Cough/Production/Wheezing/SOB Skin-Hash/Ulcer	
CVSChest Pain/Edeman/Palpations Musculoskeletal- Myalgias/Arthratgias/	SH: Alcohol Abuse/Tobacco Abuse/Substance Ahase/None
Neck Pain/Back Pain	Other;
GI—Abdominal Pain/Nausea/Vomiting/ Psychialt/iC-Ansiety/Depression/Suicidal Meation Diarrhea/Constipation Homicidal Meation	Otto.
Other:	
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PE: Logs OC Normal	WT: 248 165 HT: R: 16
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Eyes/Ears- Normal	FH: CAUCOPUNIMITHICVA/Noise
Nose/Throat- Normal	Other:
Neck- Normal	
	
CVS- Normal Normal	Td: tJFI/Moncument/MA
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Abdominal/Rectal-		Normal	LMP:	Postmenopausal/ N/
Extremities-		Normal	LAB/ XRA	Y / EKG Aid en Pain
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5/31/ Date of Visit: 5 /86/ Age: 42 Med. Altergies: Co.	oz 6 NAME: Mac deine Iodine	gee, John	77 South Lyndonv	5. Bell, M.D. Main Street ille, NY 14098 765-2060
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Respiratory-Cough/Production/				
CVS-Chest Pain/Edema/Palpation	s Musculoskele	al- Myalgias/Arthrakjias/ Neck Pain/Back Pain	SH: Alcohol Abuse/Tobacco /	lbuse/Substance Abuse/None
GI-Abdominal Pair/Nausea/Vomit		xiety/Depressior/Suicidal Ideation	Other:	
DiarrhearConstipation Other:	(6) Ho	micidal Ideation		
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General-	8	Normal	_	
Head-		Normal	I: 95,4 P: 68	BP: 110/68
Eyes/Ears-		Normal	FH: CAD/COPD/DM/ITH/CV	Affone
Nose/Throat-		Normal	Other:	
Neck-		Normal	,	
CVS		Normal		
Lung/Chest-		Normal	Td:	##TD/Noncurrent/N/A
Abdominal/Rectal-		Normal	LMP:	Postmenopausati N/A
Extremities-		Normal	LAB/ XRAY / EKG	Slipation for
Neuro-		Normal	CBC, ESR, CMP,	RF. ANA Cortica
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Discussion Held (Time)

Age: NAME: John Magel Age: 11/9/00 John Magel	David S. Bell, M.D.
Ago: 11/9/00)	77 South Main Street
Med. Allergies:	Lyndonville, NY 14098
	716-765-2060
Meds:	PMH: CAD/HTN/COPD/CVA/DWEpitepsy/RA/ Osteoarthritis/None
	Other.
CC: NO CES	
HPI:	
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Headache actual 12 hea	
Looks Well: Mildly III: Toxic:	PSH: CABG/Appendectomy/GB// lysterectomy/Hernia Repair/
ROS: ① Old chart reviewed. U ROS unobtainable.	Other:
Constitutional—Fever/Chills/Weakness GU-Dysurla/Frequency/Urgency	
HEENT-Visual Changes/Earache/Sore Throat Neuro-Altered level of Consciousness/Seizure/	
Respiratory-Cough/Production/Wheezing/SOB Skin-Rast/Ulcer	
CVS—Chest Pain/Edema/Palpations Musculoskeletal Myalgias/Arthralgias/	SH: Alcohol Abuse/Tobacco Abuse/Substance Abuse/None
GI—Abdominal Pain/Nausea/Vorniting/ Psychiatric-Anxiety/Deplession/Suicidal Mealion	Other:
Diarrhea/Constipation Hospicidal tolkation Other:	
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PE:	
General- Normal	_ WT: HT: R:
Head- Normal	- T: P: DP:
Eyes/Ears- Normal	FH: CADICOPDIDMITHICVANOIS
Nose/Throat-	Other:
Nock	
CVC	
Lucal Charl	T.1.
Abdominal/Partial Normal	Td: U1D/Noncurrent/N/A
	LMP: Postineriopausal/ N/A
Extremities- Normal	LAB/ XRAY / EKG
Neuro- Normal	
Skin- Normal	·
Assessment and Plan/Re-Assessment/Procedures	
mild CFS O DI	C Com Din ta Dine
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mayor De more former for	worse. P'
·	V

Date of Visit: 16/9/00 NAME: John Mage Age: 40 Med. Allergies: (odeine Iodine		David S. Bell, M.D. 77 South Main Street Lyndonville, NY 14098
Mcd. Allergies: (odeine Iodine		716-765-2060
Meds:	·	PMH: CAD/HTN/COPD/CVA/DM/Epilepsy/RA/ Osteoarthritis/None Other:
CC: CFS n2		
HPI: .		Lee SRF
Treatment in part Co Que culeya	- note	
•		
Looks Well: Mildly III: Toxic:		PSH: CABG/Appendectumy/GB/Hysterectorny/Hernia Repair/ Fubal Ligation/None
ROS: ① Old chart reviewed. UROS unobtainable.		Other;
Constitutional—Fever/Chitts/Weakness GU-dysuria/Frequency/Urgency		
HEENT-Visual Changes/Earache/Sore Throat Neuro-Altered level of Conscious DizzinessA.OC/F ocal We		
Respiratory-cough/Production/Wheezing/SOB Skin-Rast/Ulcer		
CVS-Chest Pain/Edema/Patpations Musculoskeletal- Mysigias/Ai Neck Pain/		SH: Alcohol Abuse/Tobacco Abuse/Substance Abuse/None
GI-Abdominal Pain/Nausea/Vomiting/ Psychiatric-Anxiety/Depression	VSuicidal Idealion	Other:
Graufhea/Constipation Homicidal Ideation Other:		
PE:		26011
General-	Normal	WT:250161 HT: R:
Head-	Normal	- T: 96.4 P: 84 BP: 122/66
Eyes/Ears-	Normal	FH: CAD/COPD/DM/ITTN/CVA/Notie
Nose/Throat-	Normal	Other:
Nose/Throat-	Normal	
CVS-	Normal	
Lung/Chest-	Normal	Td: U1D/Noncurrent/N/A
Abdominal/Rectal-	Normal	LMP: Postmenopausal/ N/A
Extremities-	Normal	LAB/ XRAY / EKG
Neuro- Skin-	Normal	
	Normal	
Assessment and Plan/Re-Assessment/Procedures		~~
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	- u , _	
		
DETIMAL		
Discussion Held (Time)		
Discussion Field (Time) / 10:900 0/3/1		

Case 1:07-cv-08816-WHP Document 12-9 Page 21 of 56 Date of Visit: 9/18/50NAME: John Mage David S. Bell, M.D. Age: 40 77 South Main Street Meds: Med. Allergies: Lyndonville, NY 14098 716-765-2060 Chief Complaint: CF S EVN. History of Present Illness: Interval History \ System Review: Previous Labs: Social History: Family History: Looks Well: Mildly III: Toxic: Other: T:95.3 RR: 20 P:72 BP:122/72 WE:24416 Ht: 74" Normal 🖾 Abnormal 🖾 Skin: Eyes: No Exam Throat: Ears: Nodes: Thyroid: Neck: Mouth: Heart: Chest: Emotions: Neuro: Abdomen: Other: PLAN: Slip guen to MMH Lat for Cortisol ADH Angiotensin II; Aldosteron. IMPLESSION: 1. 1. 2. 2. 3. 3. Inactive: Discussion Held (Time) RETURN

	07-cv-08816-WHP	Document 12-9	Filed 09/02/2008	Page 22 of 56
Date of Visit: Age:	NAME:		77 Sou	d S. Bell, M.D. th Main Street
Meds:	·	Med. Allergies:		nville, NY 14098 6-765-2060
Chief Complaint:			/	
History of Present I	llness:			
Interval History \ S	ystem Review:			
Previous L	abs:	Social History	/ Far	nily History:
Looks Well:	Mildly III:	Toxic:	Oth.r:	
T: RR:	P: 1% BP:		Ht: Nor	mal 🗹
Skin:	Eyes:	- Marie		mal 🖾
Ears:	•	Throat:	No Ex	t
	hyroid: Ne	ck: Nodes:		
Chest:	. ,	Heart:		
Abdomen:	Park Comment	Neuro:	Emotions:	
Other:		/		
MPRESSION:		PLAN:		
i.		1.		
2.	/	2.	·	
3.		3.		
Inactive:	: . /	~	. •	
Discussion Held (1	Time)			

ouset - parasteria, lego acty gradual

4/95. incresing St. Hx started few morths

later. Extracoted worsering 1st year then

plateau. Began Depression after 6 mos

worst point semmer of 99. He deagnosis,

no improvement, plo de

De fibroury algia, CFS.

PMHy - '88 back surgery. Had surgery all together. glancome 10 yrs ago eye drops - 9 4 mor. Etoniels age 6

work quality assurance. after to work

Case 1:07-cv-08816-WHP Document 12-9 Filed 09/02/2008 Page 25 of 56 TE- Lumber seas skir tog rectol@ quace Hoffman D diffeculty in fance labs full screening bowls ago - lyme blood sugar low Dr. O glancoma

@ shell find ordergy

@ back pain coping sty bloods

CBU, OT, Bloods

consider Duod offenel

consider Drovegel

3 stimulants - omartadu

LYNDONVILLE FAMILY HEALTH CENTER

David S. Bell, M.D. **Pamily Practice** Pediatrician Board Certified Comprehensive Health Care



77 South Main Street Lyndonville, New York 14098 Phone: (716) 765-2060 Fax: (716) 765-2067

JOHN MAGEE

EVALUATION DATE: 9/18/00

Mr. John Magee is a 40-year-old man who is being evaluated for possible Chronic Fatigue Syndrome. His primary care physician is Dr. Bergin in Rochester, NY.

He first became ill in approximately April 1995 with a gradual onset of restless legs, achiness in lower extremities, parathesiae and gradual onset of fatigue. The symptoms gradually increased in both number and severity and had persisted up until the present time. He has not been free of symptoms since 4/95. When the exhaustion became prominent, it worsened steadily throughout the first year and then hit a plateau and has remained relatively steady ever since that time. He did experience depression but the depression did not begin until after 6 months of symptoms and appeared to him quite separate from the initial symptoms that he experienced. There was a long delay in establishing a diagnosis of Chronic Fatigue Syndrome which was made within this past year. The worse point was in the summer of 1999, and at the present time, his depression has resolved quite well but he continues to have moderately severely symptoms. He is able to go to work on a daily basis; however, he says that he has almost no activity outside of going to work and participating in work. He is a quality engineer. On bad days, which occur about 4 times a month, he has essentially no upright activity and will sleep the entire day.

Worst Symptoms are: headaches, fatigue and body pain. Medications include Celebrex 200mg. daily and Celexa 40mg. daily. He has tried B-12 and numerous supplements including Q-10 which have not helped his symptoms.

PAST MEDICAL HISTORY: is positive for glaucoma which was diagnosed ten years ago, and for which he is taking eye drops daily. He is followed by an opthalmologist and his pressures have remained stable. He had his tonsils removed at age 6, and in 1988 he had back surgery because of prolapsed disc and has had that revised on several occasions. There was some indication that there was nerve root irritation in the right leg related to his discs but he has never had weakness nor loss of reflexes.

PATTERN OF SYMPTOMS: Exhaustion is the most limiting symptom present. He feels as if he has just run a marathon, but he does not feel sleepiness. The fatigue has been present for nearly 5 years, it is clearly worsened with exertion and he will describe a crash if he over-exerts himself. It limits his activities and his day is now confined essentially to going to and from work. He does have recurrent sore throats at least 3 monthly and lasts from 2 days to 1 weeks. Lymphnode tenderness is not a significant problem. He does have eye pain and light sensitivity. His eye physician has said that it is not due to the glaucoma. He has odor sensitivity and he feels nausea and light-headedness with certain odors. Abdominal discomfort is present with nausea, and he also takes Tums but has no diarrhea or constipation. Muscle pain is very severe and he does have weakness, stiffness and recurrent backache. His legs give him more difficulty than the upper extremities. He has had

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JOHN MAGEE PAGE 2

numerous evaluations including nerve conduction velocity studies, muscle enzymes, and he did have a muscle biopsy but it is unlikely that mitochondrial studies were done on the muscle biopsies. Joint pain is present and he has morning stiffness, headache is present daily usually in the occipital area and varies in severity. Cognitive symptoms are present and are prominent. He is able to drive but notices word-finding difficulties, and has difficulty in maintaining attention. He has light-headedness and balance disturbance. His muscle stiffness is clearly better after a shower but feels very tired after a bath. Unrefreshing sleep is a prominent symptom and he sleep lightly and has frequent waking during the night. At the present time, depression is not a significant symptom. He did have depression starting six months after the onset of the other symptoms. Night sweats are very prominent on a nightly basis; he has developed some allergies including seafood. He does not have excessive thirst but does drink up to 6 cups of liquid daily including two cups of coffee. He does not have difficulty with alcohol and has never used illegal drugs. Overall, his activity is at 30% of normal. Modified Karnofsky score is 40; FISK Fatigue Impact Scale Score is 70; BECK Depression Inventory score is 5.

REVIEW OF LABORATORY DATA: Recent lab data done in New Jersey is not available for review but he was told that it was a comprehensive screening for Chronic Fatigue Syndrome, including Lyme disease testing and that it was negative. Previous laboratory data shows no alternative explanation for his symptoms. He had a normal B-12 levels, ANA was normal, several consultations by neurologists without specific diagnosis. MRI of the spine was ordered, and I did not see the films but they were said to be normal.

PHYSICAL EXAM: reveals a healthy appearing, articulate man who is in no acute distress. He had no mood or thought disorder and does not appear depressed. T: 95.3 R: 20 P: 72 WT: 244 lbs. HT: 74"

Skin: Numerous skin tags in the axillae, no pathologic rashes. He has scars over the lumbar area from previous surgeries.

Eyes: Full ROM, pressures were not taken. Fundi normal, discs flat.

ENT: Normal

Neck: Supple; thyroid not enlarged nor tender

Nodes: No adenopathy or significant tenderness in the anterior/posterior cervical, axillary or scalene areas

Chest: Reveals full respiratory excursions, no RWR
Heart: NSR, no pathologic murmurs, no thrills or heaves.
Abd: Soft, nontender: no liver or spleen enlargement.

Abd: Soft, nontender; no liver or spleen enlargement.

Rectal: Normal, with normal prostate; guiac was negative.

Ext: Normal; Muscle strength testing was grossly normal. Detailed testing was Fibromyalgia was not done this visit. DTR were equal and symmetrical at 1-2+. No clonus. Hoffman's sign was negative. Romberg was normal. He did have difficulty with tandem stance but was able to maintain it.

Mental: Status was normal and cranial nerves were normal.

IMPRESSION:

- 1) Restless Leg Syndrome
- 2) Glaucoma
- 3) S/P Back Surgery
- 4) Shellfish Allergy
- 5) Chronic Fatigue Syndrome

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JOHN MAGEE PAGE 3

DISCUSSION

At the present time, John Magee would clearly have Chronic Fatigue Syndrome, as based upon the criteria of the Center for Disease Control. His Chronic Fatigue Syndrome is not severe to the degree where it has prevented him from working; however, his activity is clearly restricted so that essentially he has only work and then rests the rest of the day. The pattern of other symptoms, including disturbed sleep, muscle and joint pain, recurrent headaches, sore throat and cognitive difficulties is characteristic for CFS. He has had depression in he past but I do not feel that depression is causing any of the pattern of symptoms which he is experiencing. He has done well with Celexa and essentially is symptoms now are independent of the depression which he experienced several years ago. I do not see any evidence for primary gain or any evidence of other psychiatric or emotional problems. His communication was good throughout the evaluation, and he was very open and forthright.

Discussion was held about the nature of Chronic Fatigue Syndrome including some of the recent research and the likelihood of his prognosis over the next several years. It is my feeling that based upon his having a gradual onset of symptoms and his having a steady level of fatigue that he is unlikely to change from his current activity level for the next several years. However, in my experience, patients with this particular level of symptoms are likely to improve their activity 2-3 hours daily with certain medications and this was discussed briefly. It is unlikely that other medical tests will change the diagnosis or to establish some otherwise undetermined illness which is causing the basic pattern of activity restriction. The question of mitochondrial myopathies is complex and may, at some point, shed light on the nature of this illness. However, I do not feel that a repeat muscle biopsy for mitochondrial dystrophy would be appropriate at the present time. Discussion was also held about Arnold Chiari Malformation Type I and I would advise not proceeding with further diagnostic theraputic steps regarding this issue at the present time.

Discussion was held about circulating blood volume, orthostatic testing and blood testing for some of the adrenal hormones which appear to be involved in maintaining circulating blood volume; and it was decided that we would go ahead with this testing. Following the testing, I think that it is likely that he would have benefit for a theraputic trial of either Modafinil, Provigil, or stimulants such as Amantadine. And further discussion will be held based upon his orthostatic testing and circulating blood volume. He will return following this testing for further theraputic discussions.

David S. Bell, M.D.

DSB;jp

David S. Bell MD, FAAP 77 South Main Street, Lyndonville, NY 14098 585-765-2060

ADH / blood volume worksheet

Name: John Mage

Age: 🎸

Wt:

RBC Mass: 15.3

PV: 22.7

TBV: 38,2

3.6 ADH:

Osmolality: 31)

unixe osmololity

or Hostotic Lypotension - NEg Deartolie typertures - Neg orthortatee tocky corder- Neg orthortatee Hourseving PP- Neg

/02/2008 W CORRECTED-08816-WHP Document 12-9 MAN Page 30 of 56 Rochester General Hosh, al Laboratory 25 Portland Ave. MAIL Theodor K. Mayer, MD PhD Rochester, NY 14621 CLINICAL LABORATORIES COLUME CHOM, DATE STUME TO THE ROPUDATE TO ACCESSION NUMBER TO CATION STATES Client Services (585) 922 - 4451 12/23/2003 12/24/2003 12233705 RHF 10:30 04:01 PHYSICIAN PATIENT/INFORMATION 12 BELL, DAVID S MAGEE, JOHN 77 SOUTH MAIN STREET :R0000821034 SEX: M BOX 495 :12/07/1959 AGE: 44 LYNDONVILLE NY 14098 CHART: ADM: 12/23/03 Courier: MAIL 1 4 m RESULTS REFERENCERANGE Copies to: KATES, MELANIE, BELL, DAVID S AHMED, AITEZAZ Ordered Tests: HEPATIC FUNCTION PANEL, LIPID PANEL, CK CHEMISTRY GENERAL CHEMISTRY TOTAL PROTEIN 7.4 g/dL 6.4-8.2 ALBUMIN 4.5 g/dL 3.2-5.0 GLOBULIN 2.9 g/dL 2.7-4.3 ALK PHOS 95 U/L 30-135 AST 26 U/L 7-37 ALT 55 U/L20-65 BILI, TOTAL 0.6 mg/dL 0.0-1.0 * BILI, DIRECT 0.1 mg/dL 0.0-0.3 * BILI, INDIRECT 0.5 mg/dL 0.1-1.0 CHOLESTEROL 172 mg/dL 100-200 TRIGLYCERIDES 143 mg/dL 30-190 HDL CHOLESTEROL 50 mg/dL 35-130 LDL (calc) 93 mg/đL 65-130 CHOL/HDL RATIO 3.4 CHD CHOL/HDL RATIO Risk Group Men Women Lowest <3.8 <2.9 Low 3.8-4.7 2.9-3.6 Moderate 4.8-5.9 3.7-4.6 High >5.9 >4.6 CARDIAC MARKERS * CK 73 U/L (Remlab) (rev. 9/99) Legend: *-new results L-Low H-High <u>C-Critical</u> T-Toxic X-absurd AB-abnormal Site codes: F-Lakeside G-Genesee W-Newark Wayne R-RGH a-ARUP 156 West Ave 224 Alexander St 1425 Fortland Ave 111 Driving Fark Ave 500 Chapeta Way Ercckport NY Rochester, NY Rochester, NY Newark, NY Salt Lake City, UT PRINTED 12/24/1003 04:62 Page: 1 cf) DEC 29 2003

77 SOUTH MAIN STREET
LYNDONVILLE, NEW YORK 14098

Orthostatic	Testing: 92	7 : 10	176 P-92	-Date: 7-1-03	John Mager
Recumbent (1	10 min) Time	a: 937 P:	84	BP: 126/82 Clinical	1. Lg Cuff
Motionless St					
Time: 938	P: 96	BP: 78/64	Clinical:	clo R Hnoe pa	y awning part feet mottles
Time: 943	P: 90	BP:	て Clinical:	Sighing	
Time: 948		BP:	Clinical:	Dem fallis	as leon Know d
Time: 953	P: 95	BP: 120/88	> Clinical:	Feet tingling	Yawning
Time: 958	P: <u>94</u>	BP: 116/26	Clinical:	Feeling very u	Jarm Feet mottle1
Time;	P. LOLL	Bb:	o Clinical∙	0840 1443	$T' \supset$
Time:	P: 104	BP: 120/86	² Clinical:	Legs trembling	SOB Chest prin nousca
Time:/b	P: 98	BP:124/4	೭Clinical:	Vertigo Con Fi	aues O nousca
Time:		BP:	Clinical:		
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Time:	P:	BP:	Clinical:		
		inding (4 min) ; 94-14 ling : 61-97; Orthostat 3 : 62-108; Orthostati			
Onthostatic systolic Onthostatic diastolic Onthostatic diastolic Onthostatic narrowin	hypotension; tall in c hypotension; tall in c hypertension; ris no of pulse pressur	in systolic blood pres in diastolic BP of 10 se in diastolic BP to 9	ssure of 20 mm I mm Hg or mor 98 mm Hg or hi	nHg or more re.	

Relerance: Streeten DHP. Orthostatic disorders of the circulation. New York: Plenum, 1987.116.

Interpretation:

W126124:07 pv-08816-WHP - Decument 12.9 77 pro100002/2008 - Apage 32 of 56 Rochester, NY 14607 Rochester General Hospita. Theodor Mayer, MD PHD Dir. CLINICAL LABORATORIES COLUENION DATE STIME AGGESSION NUMBER CERONIDATE Client Services 05/30/03 12:10 06/03/03 0128330K 585-922-6100 04:21 585-922-4451 PATIENT INFORMATION DAVID S BELL MD MD:3 MAGEE, JOHN 77 SOUTH MAIN STREET BOX 495 MR# : R000821034 SEX: M LYNDONVILLE, NY 14098 DOB: 12/07/59 AGE: 43Y ADMIT: 05/30/03 PHONE: 624-9306 MAIL4 0720 CHART:NG **REO #:** FLAG RESULTS A copy of this report has been sent to: AITEZAZ AHMED MD MELANIE M. KATES, MD COMPLETE BLOOD COUNT **WBC** 9.4 4.0-11.0 x10³ **RBC** 5.03 4.40-6.20 X10^6 **HGB** 14.5 13.0-18.0 g/dl HCT 44 40-52 MCV 87 80-100 um^3 MCH 28.9 26.0-34.0 pg MCHC 33.3 32.0-36.0 g/dL RDW 12.0 0.0-15.2 PLT 215 150-450 x10³ DIFFERENTIAL NEUT% 66.2 45-75 LYMPH% 24.9 15.0-45.0 MONO% 7.0 0.0 - 15EO5% 1.7 0.0-5.0 BASO% 0.2 0.0-3.0 ABS# NEUT 6.2 1.8-8.0 x10³ ABS# LYMPHS 2.3 1.0-4.8 x10³ ABS# MONOS 0.7 0.1 - 1.0x10³ ABS# EOS 0.2 0.0 - 0.6x10³ ABS# BASO 0.0 0.0-0.2 x10³ **ESR** 9 0-15 mm LIPID PROFILE W/CALC LDL CHOLESTEROL HI 220 100-200 mq/dL TRIGLYCERIDE 245 ΗI 30-190 mg/dL HDL 60 35-130 mg/dL LDL (CALC) 111 65-130 mq/dL 24435 (Remlab) (rev. 9/99) CHOL/HDL RATIO 3.7 CHD CHOL/HDL RATIO Risk Groups Men Women Lowest <3.8 <2.9 Low 2.9-3.6 3.8-4.7 Moderate 4.8-5.9 3.7-4.6 High >4.6 >5.9 CK 64 35-232 U/L dayika rebisis Jacqui ens alo mit 102/2008 exalage 33 of 56

Rochester General Hospita. Theodor Mayer, MD PHD Dir.

> CLINICAL LABORATORIES Client Services 585-922-6100 585-922-4451

COLLEGUON DATE & TIME 05/30/03 12:10 06/03/03 0128330K 04:21

DAVID S BELL MD MD:3 77 SOUTH MAIN STREET BOX 495 LYNDONVILLE, NY 14098

MR# : R000821034 DOB: 12/07/59 PHONE: 624-9306

MAGEE, JOHN

SEX: M AGE: 43Y ADMIT:05/30/03

R-HF

0720 CHART:NG MAIL4 REQ #:

RESULTS

TSH 1.94 0.35-5.50 mcIU/mL ANA ANTI-NUCLEAR ANTIBODY NEG [<1:80] Pediatric Normal <1:40 RHEUMATOID FACTOR < 20 0-30 U/ml CRP, HIGH SENSITIVITY CRP-HS 2.7 mq/L CRP-HS (High Sensitivity) Reference Range:

hs-CRP Level less than 1.0 mg/L 1.0 to 3.0 mg/L greater than 3.0 mg/L Relative Risk Low Average High

Please note unit change

Minor elevations in CRP are associated with risk of myocardial infarction (MI) in patients with stable and unstable angina, and are an independent risk factor for future MI and ischemic stroke in apparently healthy individuals. The higher the CRP value, the greater the risk, starting at about 1.0 mg/L. Values above 10.0 mg/L are indicative of an acute inflammatory response.

HEPATIC FUNCTION PANEL

3 0m / m o m				
AST/GOT		23	7-37	U/L
ALT/SGPT	ΗI	67	20-65	U/L
ALK PHOS		115		· .
TOTAL BILI			30-135	U/L
		0.9	0.0-1.0	mg/dL
DIRECT (CONJ)		0.3	0.0-0.3	mg/dL
INDIRECT (UNCONJ)		0.6	0.1-1.0	mg/dL
TOTAL PROTEIN		7.6		
ALBUMIN		· =	6.4-8.2	gm/dL
		4.3	3.2-5.0	qm/dL
GLOBULIN		3.3	2.7-4.3	qm/dL
A/G RATIO		1.3	0.9-1.5	j, az

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Wiale 20/10-08816-WHP Document 12-9 10016 1000 2/2000 - Page 34-of 56 Rochester, NY 14607

Rochester General Hospita. Theodor Mayer, MD PHD Dir.

CLINICAL LABORATORIES COLLECTION DATE STIME AREPORT/DATE ACCESSION NUMBER : AND LOCATION FOR Client Services 06/05/02 09:20 06/13/02 01201607 585-922-6100 03:48 585-922-4451 PEWSICON AND PROPERTY OF THE P DAVID S BELL MD MAGEE, JOHN 77 SOUTH MAIN STREET BOX 495 MR# : R000821034 SEX: M LYNDONVILLE, NY 14098 DOB: 12/07/59 AGE: 42Y PHONE: 624-9306 ADMIT: 06/05/02 MAIL4 0720 CHART: REO #: FIAG RESULTS REFERENCE RANGES COMPLETE BLOOD COUNT WBC 6.1 4.0-11.0 $x10^3$ RBC 4.93 4.40-6.20 X10^6 HGB 13.7 13.0-18.0 g/dl HCT 42 40-52 MCV 86 80-100 um^3 MCH 27.8 26.0-34.0 pg MCHC 32.5 32.0-36.0 g/dL RDW 12.0 0.0-15.2 PLT 191 150-450 x10^3 **ESR** 12 0-15 mm COMPREHENSIVE METABOLIC GLUCOSE 101 65-110 mg/dL BUN 10 8-20 mg/dL CREATININE 1.1 0.7-1.4 mg/dL SODIUM 135-145 145 mEq/L **POTASSIUM** 4.1 3.5-5.0 mEq/L CHLORIDE 107 98-105 mEq/L CO₂ 27 22-30 mEq/L ANION GAP 11 7-16 CALCIUM 9.7 8.5-10.2 mg/dL AST/GOT 27 7-37 U/L ALT/SGPT 56 20-65 U/L ALK PHOS 81 30-135 U/L TOTAL BILI 0.4 0.0-1.0 mg/dL TOTAL PROTEIN 7.1 6.4-8.2 gm/dL **ALBUMIN** 4.1 3.2-5.0 qm/dL GLOBULIN 3.0 2.7-4.3 gm/dL A/G RATIO 1.4 Please note new normal range for Globulin (12/19/00) Please note new normal range for A/G Ratio (01/08/01) ANA ANTI-NUCLEAR ANTIBODY NEG [<1:80] Pediatric Normal <1:40 RHEUMATOID FACTOR < 20 0 - 30CORTISOL AM, SERUM 16.5 5.0 - 23.0mcg/dL The secretion of cortisol is episodic so a single AM and PM sampling may not demonstrate a higher AM cortisol and lower PM cortisol.

PLAN 7 2002

CLINICAL LABORATORIES COMEDIONOADECHINE # WEDDAYOAR / ASSESSION NUMBER / HOSATION Client Services 06/05/02 09:20 06/07/02 01201607 R-HF 585-922-6100 04:18 585-922-4451 PINSICIAN CAMENVINFORMATION 1 DAVID S BELL MD MAGEE, JOHN 77 SOUTH MAIN STREET BOX 495 MR# : R000821034 SEX: M LYNDONVILLE, NY 14098 DOB: 12/07/59 AGE: 42Y PHONE: 624-9306 ADMIT:06/05/02 MAIL4 0720 CHART: REQ #: RESULTS FLAG REFERENCERANGE COMPLETE BLOOD COUNT **WBC** 6.1 4.0-11.0 x10³ RBC 4.93 X10^6 4.40-6.20 HGB 13.7 13.0-18.0 g/dl HCT 42 40-52 MCV 86 80~100 um^3 MCH 26.0-34.0 27.8 pg MCHC 32.5 32.0-36.0 g/dL RDW 12.0 0.0 - 15.2PLT 191 150-450 x10³ ESR 12 0-15 mm COMPREHENSIVE METABOLIC GLUCOSE 101 65-110 mg/dL BUN 10 8-20 mq/dL CREATININE 1.1 0.7 - 1.4mg/dL SODIUM 145 135-145 mEq/L POTASSIUM 4.1 3.5 - 5.0mEa/L CHLORIDE 107 98-108 mEg/L CO₂ 27 22-30 mEq/L ANION GAP 11 7-16 CALCIUM 9.7 8.5-10.2 mg/dL AST/GOT 27 7-37 U/L ALT/SGPT 56 20-65 U/L ALK PHOS 81 30-135 U/L TOTAL BILI 0.4 0.0-1.0 mg/dL TOTAL PROTEIN 7.1 6.4-8.2 qm/dL ALBUMIN 4.1 3.2 - 5.0qm/dL GLOBULIN 3.0 2.7-4.3 gm/dL A/G RATIO 1.4 0.9 - 1.5Please note new normal range for Globulin (12/19/00) Please note new normal range for A/G Ratio (01/08/01) **ANA** ANTI-NUCLEAR ANTIBODY NEG [<1:80] Pediatric Normal <1:40 RHEUMATOID FACTOR <20 0 - 30U/ml 2

JUN 1 0 2002

STRONG MEMORIAL HOSPIN LURMC

DEPARTMENT OF RADIOLOGY
CONSULTATION REPORT

601 ELMWOOD AVE. ROCHESTER, N.Y. 14642 (716) 275-5434

3-Oct-2000

Patient Type: A

Location:

MAGEE, JOHN C

DOB: 7-Dec-1959 Sex: M

30723117

Clinical Info:276.5

MRN: 1183494

Hx: ? POLYCYTHEMIA VERA

9/29/00 RED BLOOD CELL AND PLASMA VOLUME DETERMINATION

CLINICAL HISTORY: 40 year old female with the clinical diagnosis of hypovolemia.

PROCEDURE: On 9/29/00, 54 uCi of chrominum 51 were administered to assess the red cell volume. In addition, 17 uCi of iodine 125 serum albumin was administered to determine the plasma volume.

FINDING: The patient's plasma volume was calculated at 2611 ml with a normal expected volume of 3634. The patient's red blood cell volume is 1740 cc. with a normal expected value of 2734.

IMPRESSION:

Reduced plasma volume with decreased red blood cell volume.

This consultation has been reviewed and approved by the attending radiologist after interpreting the exam with a radiologist in training

WT= 113.6 Kg PV= 72.98 ML/Kg PBC= 15.3 ml/Kg 780= 38.2 Robert E. O'Mara, M.D. VASEEM CHENGAZI, M.D., Ph.D. 75 area 53675 Francisco Garcia, M.D.

Exam requested by: Report sent to:

BELL, DAVID S. M.D. (LYNDONV) KRASNER, MICHAEL S., MD

BELL, DAVID S. M.D. (LYNDONV)

2382976 (MC) NMBL1 78110 071-7-8110 2382977 NMBL2 78120 071-7-8120 NM BLOOD PLASMA 29-Sep-2000 4:13 PM

NM RED CELL VOL 29-Sep-2000 4:13 PM

VERBAL PRELIMINARY REPORTS AVAILABLE - CALL (716) 275-5368 FOR FURTHER INFORMATION

avid S. Bell MD, FAAP 77-South-Main-Streets. Lyndonville, NY 14098 716-765-2099 fax 716-765-2067

Orthostatic Testing Results

Patient Name: John MAGEE

Date of Testing: 09/38/00

860663

Recumbent:

	<u>Time</u>	<u>BP</u>	<u>Pulse</u>	
Start:	1230	133/76	74	
5 min:	1235	126/76	71	(128/76)(P=72)
10 Min:	1240	125/75	12	

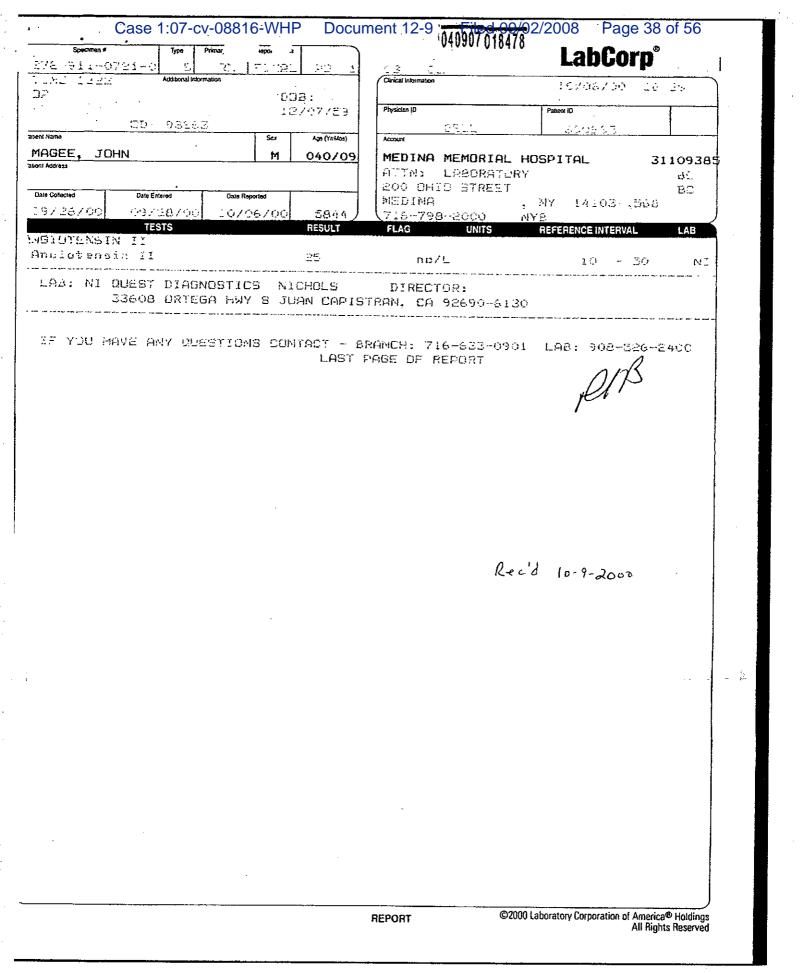
Recumbent Norepinephrine: 1243
SAMPLE Drawn

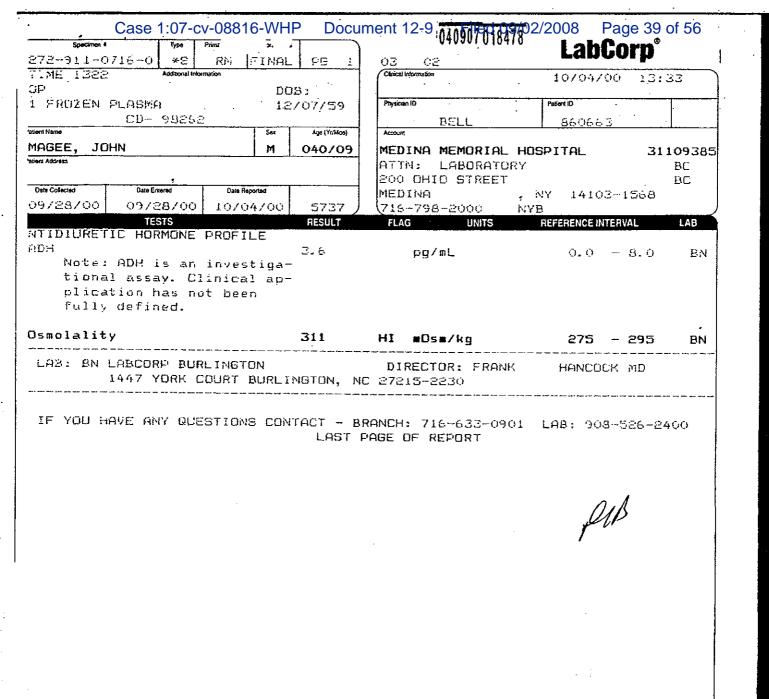
SEP 28 2000

Standing:

	<u>Time</u>	BP	<u>Pulse</u>	Observations
Start:	1245	125/84	85	fuls lighthooded when he stands up:
	1298 1251	130/8/	90	stands up;
٠	1254	1/1/77	85	Bilateral "Fect TINGling"
	1300	72 <u>6782</u> 179780	86	Oleg falling askep getting a little tired "
•	1303	109/19	87	yennig annie mes
•	130.9	111/80	89	and the same of th
•	1312	119/85	37	continues & Dame Symptoms.
	1318	(21/8/	$\frac{-0.0}{92}$	
•	1321 1324	179780	92	1
	1327	<u> </u>		feeling coming back to legs.

Recumbent Norepinephrine: 1322 Sample Drawn

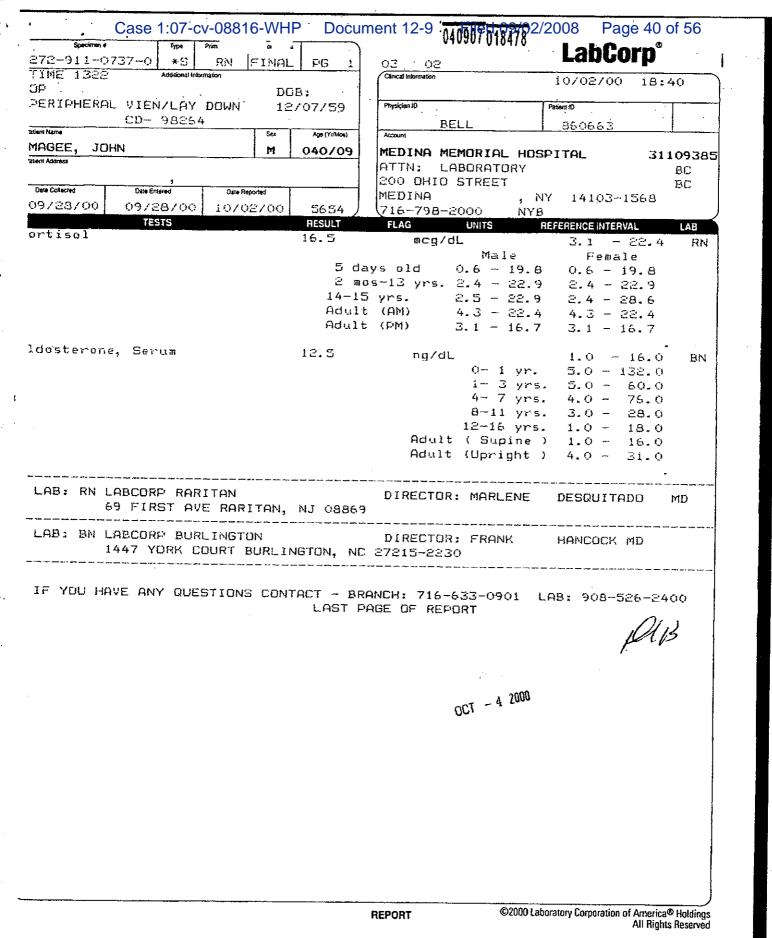


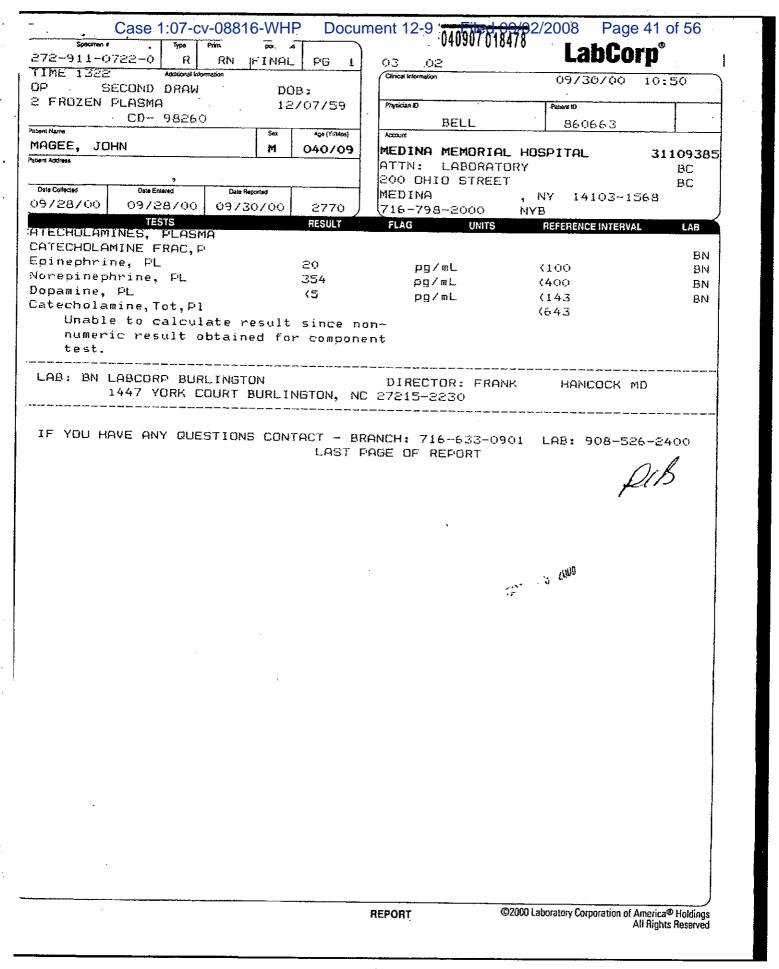


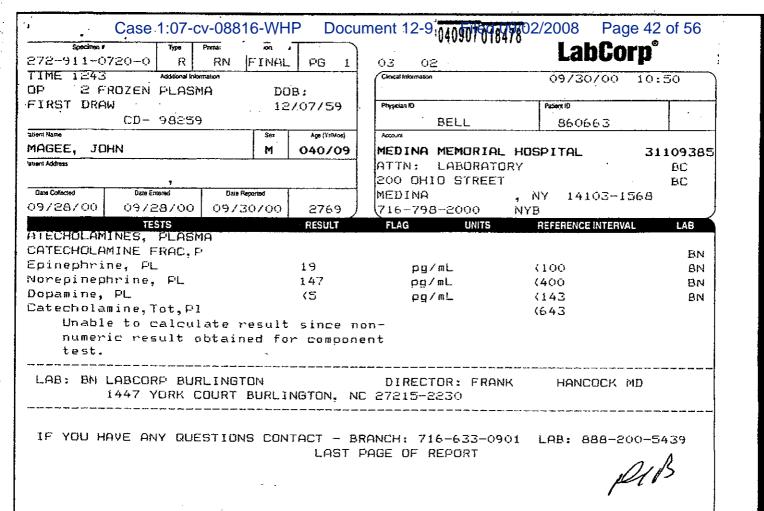
OCT - 6 2000

REPORT

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OCT -3 2000

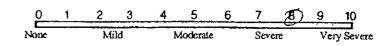
REPORT

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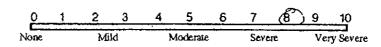
Name John Magee	Date: 26 Feb. 200L
1. Global Impression of Severity: Please check the level 1. I feel well and vigorous, and have normal daily 2. I feel mildly ill, and have some restriction of act 3. I feel moderately ill, and my activity is restricted 4. I feel quite ill much of the time, and my activity 5. I feel very ill, and my activity is severely restricted 6. I feel extremely ill, and rarely get out of bed.	activity.
2. Please list all medications you are taking: 1. Well but rinx L 300ms/day 2. iexapro 40 ms/d. 3. lipites 20 ms/d. 4. Etan klonapin .5 ms/day 5. Vi (oxin PRN)	6. Cosopt Idiop/eye = 2x's/da > 7. 8. 9. 10.
3. Since your last visit here, have you been diagnosed wi If yes, please describe:	th any other illnesses? WO
4. <u>Daily Activity</u> : Please list the number of hours spent is day during the past week (total should add to 24 hours).	
a) Total hours sleeping:	10
b) Rest, but not sleeping: (resting, watching TV, light reading, etc)	13
c) Light to moderate activity: (shopping, housework, meals, etc):	2
d) Vigorous activity (exercise, heavy cleaning, sports, etc):	24 hours
e) How many hours could you be out of the house at any	one time on average during the past 2 weeks?

5. Symptom Severity: For each of the following symptoms please mark the scale that most closely correlates with the degree of the symptom over the past week.

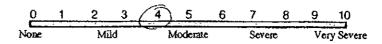
Fatigue or exhaustion:



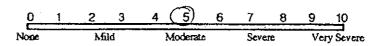
Impaired memory or concentration



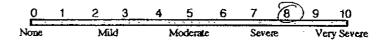
Sore throat:



Tender lymph nodes:



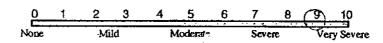
Muscle pain:



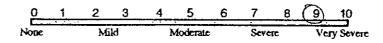
Joint pain:



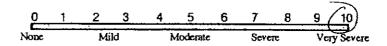
Headache:



Unrefreshing sleep:



Malaise or exhaustion after exertion:



7. Activity Estimate: Please estimate your overall activity in the past month as to what your activity would be if you were well.

Please circle one: 10% 20% 30% 40% 50% 60% 70% 80% 90% 100%

8. Wood Mental Fatigue Inventory (Br J Clin Psych 1993; 32:375-9.) In the past week, how much have you been bothered by each of the following? Please circle the appropriate number.

1. Spells of confusion	Not at all	A little	Somewhat 2	Quite a lot Very much
2. Thoughts getting mixed up	0	1	2	(3) 4
3. Poor concentration	0	1	2	(3) 4
4. Can't easily make decisions	0	1	2	<u>(3)</u> 4
5. Poor memory for recent events	0	1	2	3 (4)
6. Can't take things in when				
speaking to people	0	1	2	(3) 4
7. Thoughts are slow	0	1	2	3 (4)
8. Muzzy or foggy head	0	1	2	(3) 4
9. Can't find the right words	0	1	2	3 (4)

9. Epworth Sleepiness Scale: (Johns MW. Sleep 1991;14:540-545) Over the past few weeks, how likely are you to doze or fall asleep in trhe following situations, in contrast to feeling just tired?

Situation	would never doze	slight chance of dozing	moderate chance	high chance
Sitting and reading	; Ø	1	2	3
Watching TV	6	1	2	3
Sitting (inactive) in	a public 🔘	1	2	3
As a passenger in a one hour without	a car for t a break 🕜	1	F 2	3
Lying down to res in the afternoon	6	1	2	3
Sitting and talking to someone	(1	2	3
Sitting quietly after without alcohol	lunch (0)	1	2	3
In a car, while stop a few minutes in	oped for traffic 0	1	2	3

Case 1:07-cv-08816-WHP

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Filed 09/02/2008 Page 46 of 56

6. Fatigue Impact Scale. [Fisk JD and co-workers. C I D.1994;18(Suppl 1):S79-S83.] The following statements are designed to determine how much impact fatigue has had on your life in the past month. Please indicate the most appropriate response for each statement below by circling 0 for no impact, 1 for slight impact, 2 for moderate impact, 3 for a big impact; and 4 for a very severe impact or problem.

1. I feel less alert.	0	. 1	2	<u>(3)</u>	4
2. I am more isolated from social contact.	0	1	2	3	4
3.1 have to reduce my workload or responsibilities.	0	1	2	3	\bigcirc
4. I am more moody.	0	1	2	3	4
5. I have difficulty paying attention for a long period.	0	1	2	(3)	4
6. I feel like I cannot think clearly.	0	1	2	3	4
7. I work less effectively (work inside or outside the home).	0	1	2	3	4
8. I have to rely more on others to help me or do things for me.	0	i	2	(3)	4
9. I have difficulties planning activities ahead of time.	0	1	2	3	(4)
10. I am more clumsy and uncoordinated.	0	1	2	3	4
11. I find that I am more forgetful.	0	1	2	3	(4)
12. [am more irritable and more easily angered.	0	1	2	3	4
13. I have to be careful about pacing my physical activities.	O	i	2	3	4
14. I am less motivated to do anything that requires physical effort.	0	1	2	3	(4)
15. I am less motivated to engage in social activities.	0	1	2	3	(4)
16. My ability to travel outside my home is limited.	0	1	2	(3)	4
17. I have trouble maintaining physical effort for long periods	0	1	2	3	4
18. I find it difficult to make decisions.	0	1	Ø.	(3)	4
19. I have few social contacts outside of my own home.	0	1	2	3	(4)
20. Normal day-to-day events are stressful for me.	0	1	2	(3)	4
21. I am less motivated to do anything that requires thinking.	O	1	2	3	4
22. I avoid situations that are stressful for me.	0.		2	3	4
23. My muscles feel much weaker than they should.	0	1	(2)	3	4
24. My physical discomfort is increased.	0	1	2	(3)	4
25. I have difficulty dealing with anything new.	0	1	2	$\overline{3}$	4
26. I am less able to finish tasks that require thinking.	0	1	2	3	()
27. I feel unable to meet the demands that people place on me.	0	1	2	(3)	4
28. I am less able to provide financial support for myself and my family.	0	1	2	3	(^a)
29. I engage in less sexual activity.	0		2	3	4
30. I find it difficult to organize my thoughts when I am doing things.	0	$\phantom{aaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaa$	2	3	(4)
31. I am less able to complete tasks that require physical effort.	0	1	2	3	(4)
32. I worry about how I look to other people.	0	i	$\binom{2}{2}$	3	4
33. I am less able to deal with emotional issues.34. I feet slowed down in my thinking.	0	1	2	(3) 3	4 7
35. I find it hard to concentrate.	ŏ	î	2	3	$\langle \vec{a} \rangle$
36. I have difficulty participating fully in family activities.	0	1	(2)	3	4
37. I have to limit my physical activities.	0	1	2	3 3 3	4
38. I require more frequent and longer periods of rest.	0	1	2		(4)
39. I am not able to provide as much emotional support to my family.40. Minor difficulties seem like major difficulties.	0 0	1	$\frac{2}{2}$	$\frac{3}{3}$	4
• • • • • • • • • • • • • • • • • • •					

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David S. Bell, M.D.
Nancy A. Bell, FNP/C
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phone (585) 765-2060 fax (585) 765-2067

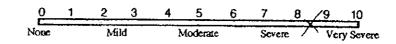
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NAME	MAGE	E JOHN					
DATE STARTED							
DATE of IV PLACEMENT:	07/07/03						
COMPLICATIONS:							
DATE	HRS	VAS	FISK				
09/18/00	11	59	70				
10/09/00	9	59	80				
11/09/00	10	56	86				
05/30/02	2.5	68	95				
01/26/03		65	117				
05/01/03	4	70	110				
07/07/03	1.5	66	117				
08/11/03	3	63	122				
10/24/03	6	67	127				
12/11/03	4	69	128				
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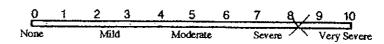
Case 1:07-cv-08816-WHP

5. Symptom Severity: For each of the following symptoms please mark the scale that most closely correlates with the degree of the symptom over the past week.

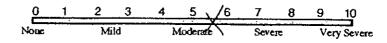
Fatigue or exhaustion:



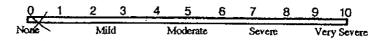
Impaired memory or concentration



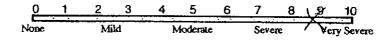
Sore throat:



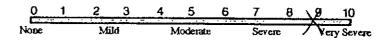
Tender lymph nodes:



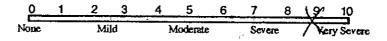
Muscle pain:



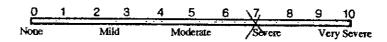
Joint pain:



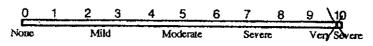
Headache:



Unrefreshing sleep:



Malaise or exhaustion after exertion:





7. Activity Estimate: Please estimate your overall activity in the past month as to what your activity would be if you were well.

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8. Wood Mental Fatigue Inventory (Br J Clin Psych 1993; 32:375-9.) In the past week, how much have you been bothered by each of the following? Please circle the appropriate number.

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2. Thoughts getting mixed up	0	1	Ø	3	4
3. Poor concentration	0	1	(2)	3	4
4. Can't easily make decisions	0	1	(2)	3	4
5. Poor memory for recent events	0	1	2	3	(4)
6. Can't take things in when					
speaking to people	0	1	2	(3)	4
7. Thoughts are slow	0	1	2	(3)	4
8. Muzzy or foggy head	0	1	2	73)	4
9. Can't find the right words	0	1	2	3	(4)

9. Epworth Sleepiness Scale: (Johns MW. Sleep 1991;14:540-545) Over the past few weeks, how likely are you to doze or fall asleep in trhe following situations, in contrast to feeling just tired?

Situation	would never doze	slight chance of dozing	moderate chance	high chance
Sitting and readin	g 0	1	2	3
Watching TV	0	Ô	2	3
Sitting (inactive) i	n public 0	1	②	3
As a passenger in one hour withou	a car for at a break 0	1	(2)	3
Lying down to res	st O	1	2	3
Sitting and talking to someone	0		2	3
Sitting quietly after without alcohol	er lunch	ī	2	3
In a car, while sto a few minutes in	pped for traffic 0	1	2	3

6. Fatigue Impact Scale. [Fisk JD and co-workers. C I D.1994;18(Suppl 1):S79-S83.] The following statements are designed to determine how much impact fatigue has had on your life in the past month. Please indicate the most appropriate response for each statement below by circling 0 for no impact, 1 for slight impact, 2 for moderate impact, 3 for a big impact; and 4 for a very severe impact or problem.

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2. I am more isolated from social contact.	0	1	\bigcirc	3	4
3. I have to reduce my workload or responsibilities.	0	1	2	3	(4)
4. I am more moody.	0	1	2	(3)	4
5. I have difficulty paying attention for a long period.	0	1	2	(3)	4
6. I feel like I cannot think clearly.	0	1	2	(<u>3</u>)	4
7. I work less effectively (work inside or outside the home).	0	ì	2	3	(4)
8. I have to rely more on others to help me or do things for me.	0	1	2	3	$\widetilde{4}$
9. I have difficulties planning activities ahead of time.	0	1	2	$(\hat{3})$	4
10. I am more clumsy and uncoordinated.	0	1	\bigcirc	3	4
11. I find that I am more forgetful.	0	1	2	(3)	4
12. I am more irritable and more easily angered.	0	1	2	(3)	4
13. I have to be careful about pacing my physical activities.	0	1	2	3	(4)
14. I am less motivated to do anything that requires physical effort.	0	1	2	3	<u>(4)</u>
15. I am less motivated to engage in social activities.	0	1	2	3	4
16. My ability to travel outside my home is limited.	0	1	2	<u>3</u>	4
17. I have trouble maintaining physical effort for long periods	0	1	2	3	(4)
18. I find it difficult to make decisions.	0	1	(2)	3	4
19. I have few social contacts outside of my own home.	0	1	<u>(1)</u>	3	4
20. Normal day-to-day events are stressful for me.	0	1	(2)	3	4
21. I am less motivated to do anything that requires thinking.	0	1	2	3	4
22. I avoid situations that are stressful for me.	0	1	(Ž)	3	4
23. My muscles feel much weaker than they should.	0	1	(2) (3) 2	3	4
24. My physical discomfort is increased.	0	1		3	4
25. I have difficulty dealing with anything new.	0	l	(2) (2)	. 3	4
26. I am less able to finish tasks that require thinking.	0	1	1	3	4
27. I feel unable to meet the demands that people place on me.	0	1	2	3	4
28. I am less able to provide financial support for myself and my family.	0	1	2	3	4
29. I engage in less sexual activity.	0	1	2	3	4
30. I find it difficult to organize my thoughts when I am doing things.	0	ī	(2)	3	4 .
31. I am less able to complete tasks that require physical effort.	0	1	2	3	4
32. I worry about how I look to other people.	0	1	\mathcal{Q}	3	4
33. I am less able to deal with emotional issues.	0	1	(2)	3	4
34. I feel slowed down in my thinking. 35. I find it hard to concentrate.	0	1	2		4
36. I have difficulty participating fully in family activities.	Ö	1	2 2	6	4
37. I have to limit my physical activities.	Ō	1	2	3	(4)
38. I require more frequent and longer periods of rest.	0	1	2	3 3 3	₫
39. I am not able to provide as much emotional support to my family.	0	I	2	2	4
40. Minor difficulties seem like major difficulties.	0	1	2	(3)	4 (

e) How many hours could you be out of the house at any one time on average during the past 2 weeks?

hours

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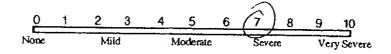
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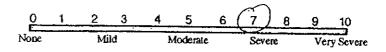
Page 53 of 56

5. Symptom Severity: For each of the following symptoms please mark the scale that most closely correlates with the degree of the symptom over the past week.

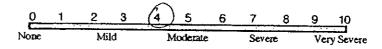
Fatigue or exhaustion:



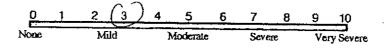
Impaired memory or concentration



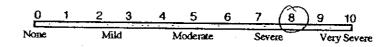
Sore throat:



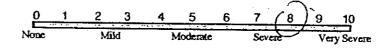
Tender lymph nodes:



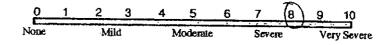
Muscle pain:



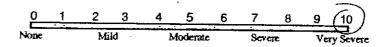
Joint pain:



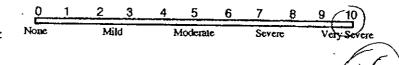
Headache:



Unrefreshing sleep:



Malaise or exhaustion after exertion:



70%

80%

90%

Page 54 of 56

100%

Please circle one: (10%) 20% 30% 40% 50% 60%

8. Wood Mental Fatigue Inventory (Br J Clin Psych 1993; 32:375-9.) In the past week, how much have you been bothered by each of the following? Please circle the appropriate number.

	Not at all	A little	Somewhat	Quite a lot	Very much
1. Spells of confusion	0	1	(2)	3	4
2. Thoughts getting mixed up	0	1	(2)	3	4
3. Poor concentration	0	1	(2)	3	4
4. Can't easily make decisions	0	1	2	_3	4
5. Poor memory for recent events	0	1	(2)	(3)	4
6. Can't take things in when					
speaking to people	0	1	(2)	3	4
7. Thoughts are slow	0	1	2	(3)	4
8. Muzzy or foggy head	0	1	2	(3)	4
9. Can't find the right words	0	1	2	(3)	4

9. Epworth Sleepiness Scale: (Johns MW. Sleep 1991;14:540-545) Over the past few weeks, how likely are you to doze or fall asleep in trhe following situations, in contrast to feeling just tired?

Situation	would never doze	slight chance of dozing	moderate chance	high chance
Sitting and reading	ıg 🕜	1	2	3
Watching TV	(1	2	3
Sitting (inactive)	in public (0)	1	2	3
As a passenger in one hour without	a car for ut a break	. 1	2	3
Lying down to re in the afternoon	st 6	1	2	3
Sitting and talking to someone	g Ø	1	2	3
Sitting quietly aft without alcohol		1	2	3
In a car, while sto a few minutes in	opped for Q	1	2	3

6. Fatigue Impact Scale. [Fisk JD and co-workers. C1 D.1994;18(Suppl 1):S79-S83.] The following statements are designed to determine how much impact fatigue has had on your life in the past month. Please indicate the most appropriate response for each statement below by circling 0 for no impact, 1 for slight impact, 2 for moderate impact 3 for a big impact; and 4 for a very severe impact or problem.

1.1 feel less alert.	0	1	2	(3)	4
2. I am more isolated from social contact.	0	1	2	3	(4)
3. I have to reduce my workload or responsibilities.	0	1	2	3	(4)
4. I am more moody.	0	1	2	3	(4)
5. I have difficulty paying attention for a long period.	0	1	$\binom{2}{2}$	3	4
6. I feel like I cannot think clearly.	0	1	\bigcup_{2}	(3)	4
7. I work less effectively (work inside or outside the home).	0	1	2	(3)	4
8. I have to rely more on others to belp me or do things for me.	0	1	2	(3)	4
9. I have difficulties planning activities ahead of time.	0	1	2	3	(4)
10. I am more clumsy and uncoordinated.	0	1	(2)	3	4
11. I find that I am more forgetful.	0	1	2		4
12. I am more irritable and more easily angered.	0	1	2	Ó	4
13. I have to be careful about pacing my physical activities.	0	1	2	9000	. 4
14. I am less motivated to do anything that requires physical effort.	0	1	2	<u>(3</u>	4
15. I am less motivated to engage in social activities.	0	1	2	3	4
16. My ability to travel outside my home is limited.	0	1	2	3	(4)
17. I have trouble maintaining physical effort for long periods	0	1	2	3	(4)
18. I find it difficult to make decisions.	0	1	2	(3 ₎	4
19. I have few social contacts outside of my own home.	0	1	2	3	(A)
20. Normal day-to-day events are stressful for me.	0	(I)	2	3	4
21. I am less motivated to do anything that requires thinking.	0	1	(2)	3	4
22. I avoid situations that are stressful for me.	0	1	(2)	3	4
23. My muscles feel much weaker than they should.	0	1	2	3	(A)
24. My physical discomfort is increased.	0	1	2	3	\sim
25. I have difficulty dealing with anything new.	0	\odot	2	3	4
26. I am less able to finish tasks that require thinking.	0	1	2	(3)	4
27. I feel unable to meet the demands that people place on me.	0	1	2	$\widecheck{\mathfrak{F}}$	4
28. I am less able to provide financial support for myself and my family.	0	1 -	2	- Ē	(A)
29. I engage in less sexual activity.	0	(1)	2	3	4
30. I find it difficult to organize my thoughts when I am doing things.	0	I	$(\hat{2})$	3	4
31. I am less able to complete tasks that require physical effort.	0	1	2	(3)	4
32. I worry about how I look to other people.	(Ö)	1	2	3	4
33. I am less able to deal with emotional issues. 34. I feel slowed down in my thinking.	Ď.	1	2	\mathfrak{P}	4
35. I find it hard to concentrate.	0]]	2 2	3	4
36. I have difficulty participating fully in family activities.	Ö	i	2	(I)	4 (4) (4)
37. I have to limit my physical activities.	0	1	2	3	(4)
38. I require more frequent and longer periods of rest. 39. I am not able to provide as much emotional support to my family.	0	1 3	2	3 3 3 3	4)
40. Minor difficulties seem like major difficulties.	0	1	1/2/	3	4
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hours